



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

January 17, 2020

**BY ECF**

The Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Jerome Dimitriou*,  
19 Cr. 894 (KPF)**

Dear Judge Failla:

Pursuant to Fed. R. Crim. P. 16(d)(1), the Government respectfully requests that the Court so order the enclosed, proposed Protective Order. Defense counsel, Nathaniel Z. Marmur, Esq., has already executed the proposed Protective Order. As the Court is aware, courts have routinely relied on Rule 16(d)(1) to limit discovery in situations where the disclosure of certain discovery beyond the defendant and his defense team could have harmful consequences. *See, e.g., United States v. Aref*, 533 F.3d 72, 78 (2d Cir. 2008) (protective order for classified information); *United States v. Smith*, 985 F. Supp. 2d 506, 530–35 (S.D.N.Y. 2013) (protective order for information that might impede ongoing investigations); *United States v. Figueras*, 2009 WL 1364640, at \*1–2 (W.D.N.Y. May 19, 2009) (protective order for identity of confidential informants); *United States v. Luchko*, 2007 WL 1651139, at \*7 (E.D. Pa. June 6, 2007) (protective order because of, *inter alia*, personal privacy interests of third parties). In this case, the discovery materials include third parties' sensitive personal identifying information and financial information. Accordingly, the Government believes that the enclosed, narrowly tailored Protective Order is appropriate.

Respectfully submitted,

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cc: Nathaniel Z. Marmur, Esq. (via ECF)